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To: Microsoft ATR
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Subject: Microsoft Settlement

By not providing some aid for independent software vendors engaged in making Windows-compatible operating systems, the Proposed Final Judgement is missing a key opportunity to encourage competition in the operating system market. The statement in sections III.D. and III.E that the information released is to be used "for the sole purpose of interoperating with a Windows Operating System Product" is too restrictive. It does not promote competition.

Also, the definitions of 'Middleware' are too narrow. Middleware should include .NET, Office, Outlook and other Microsoft products. All Middleware APIs need to be documented and available to independent software vendors prior to release. There must be no confusion over which APIs are covered by patents.

The discrimination against Open Source applications is unacceptable. Many of the competing applications are open source.